

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:16-cv-00768-MOC-DSC

DANIEL JACOBS,

Plaintiff,

v.

DAVID K. STEIN,

Defendant.

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ORDER

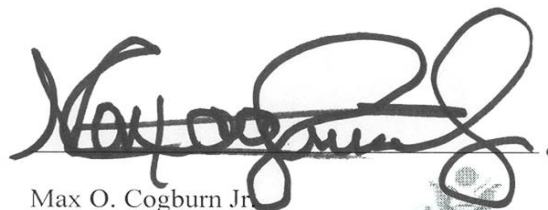
THIS MATTER is before the court on the defendant's Motion to Dismiss (#2). Having considered the Motion and reviewed the pleadings, the court enters the following Order.

Subsequent to the filing of this Motion to Dismiss (#2), plaintiff filed an Amended Complaint (#6) and defendant filed a Motion to Dismiss (#7) thereto. The court entered an Order (#13) denying the later Motion to Dismiss and renewed this denial upon reconsideration. See (#23). Accordingly, the earlier Motion to Dismiss (#2) was rendered moot for the reason that an Amended Complaint was filed.

ORDER

IT IS, THEREFORE, ORDERED that defendant's Motion to Dismiss for lack of jurisdiction (#2) is **DENIED** as **MOOT** as subsequent to the filing of defendant's Motion, plaintiff timely filed an Amended Complaint (#6).

Signed: March 15, 2017



Max O. Cogburn Jr.
United States District Judge